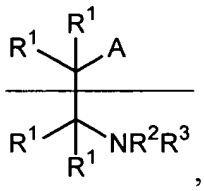
APPENDIX

Version with Markings to Show Changes Made

In the Claims:

68. (Amended) A method of inhibiting epileptogenesis, comprising administering to a subject in need thereof an effective amount of a substituted β-~~alanine~~ amino anionic compound ~~of the formula~~



, wherein

- ~~A is an anionic group at physiological pH, or a carboxylate or a prodrug form thereof;~~
- each ~~R~~^{1} substituent is independently ~~hydrogen or~~ alkyl, alkenyl, alkynyl, cycloalkyl, aryl, alkoxy, aryloxy, alkylcarbonyl, arylcarbonyl, alkoxycarbonyl, aryloxycarbonyl, amino, hydroxy, cyano, halogen, carboxyl, alkoxycarbonyloxy, aryloxycarbonyloxy, or aminocarbonyl; and
- the amino group is $-NR^aR^b$, wherein ~~R~~^{2} R^a and ~~R~~^{3} R^b are each independently hydrogen, alkyl, alkenyl, alkynyl, cycloalkyl, aryl, alkylcarbonyl, arylcarbonyl, alkoxycarbonyl, or aryloxycarbonyl; or ~~R~~^{2} R^a and ~~R~~^{3} R^b, taken together with the nitrogen to which they are attached, form an unsubstituted or substituted heterocycle having from 3 to 7 atoms in the heterocyclic ring;

or a pharmaceutically acceptable salt or ester thereof, such that epileptogenesis is inhibited.

69. (Amended) The method of inhibiting epileptogenesis according to claim 68, wherein

- ~~A~~ the anionic group is a carboxylate ~~or a prodrug form thereof~~;
- each said substituent ~~R~~^{1} is independently ~~hydrogen or~~ an alkyl, cycloalkyl, aryl, alkoxy, or aryloxy group; and
- ~~R~~^{2} R^a and ~~R~~^{3} R^b are each independently hydrogen, alkyl, or alkylcarbonyl; or ~~R~~^{2} R^a and ~~R~~^{3} R^b, taken together with the nitrogen to which they are attached, form an unsubstituted or substituted heterocycle having from 3 to 7 atoms in the heterocyclic ring.

78. The method of inhibiting epileptogenesis according to claim 69, wherein said aryl or said aryloxy group is substituted.

80. The method of inhibiting epileptogenesis according to claim 78, wherein the substituent on said aryl or aryloxy group is a halogen, hydroxyl, alkyl, alkoxyl, amino, aryloxy, alkyl amino, dialkylamino, arylamino, alkylcarbonylamino, or an aromatic moiety.

92. (Amended) The method of inhibiting epileptogenesis according to claim 69, wherein said substituted β-~~alanine~~ amino anionic compound is a β-substituted β-alanine.

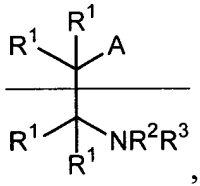
93. (Amended) The method of inhibiting epileptogenesis according to claim 92, wherein ~~R~~^{1} said substituent is an alkyl, cycloalkyl, or aryl group.

118. (Amended) The method of inhibiting epileptogenesis according to claim 69, wherein said β-~~alanine~~ amino anionic compound is $RCH(NH_2)CH_2COOH$, wherein ~~and~~ R is 4-fluorophenyl, 4-phenoxyphenyl, 3-(4-methylphenoxy)phenyl, 3-methyl-4-methoxyphenyl, 3-(3,4-dichlorophenoxy)phenyl, 2-methylphenyl, 3-(4-chlorophenoxy)phenyl, 2,5-dimethyl-4-methoxyphenyl, 4-trifluoromethoxyphenyl, 2-chlorophenyl, 2-fluoro-3-trifluoromethylphenyl, 3-bromo-4-methoxyphenyl, 4-bromophenyl, phenyl, 4-methylphenyl, 4-chlorophenyl, 4-acetamidophenyl, 2,5-dimethoxyphenyl, 4-diethylaminophenyl, 3-methylphenyl, 2-hydroxy-3-methoxyphenyl, 4-phenylphenyl, 3,4-dibenzyloxyphenyl, or 3-[(3-trifluoromethyl)phenyloxy]phenyl.

119. (Amended) The method of inhibiting epileptogenesis according to claim 92, wherein said β-~~alanine~~ amino anionic compound is $RCH(NH_2)CH_2COOH$, wherein ~~and~~ R is 4-fluorophenyl, 4-phenoxyphenyl, 3-(4-methylphenoxy)phenyl, 3-methyl-4-methoxyphenyl, 3-(3,4-dichlorophenoxy)phenyl, 2-methylphenyl, 3-(4-

chlorophenoxy)phenyl, 2,5-dimethyl-4-methoxyphenyl, 4-trifluoromethoxyphenyl, 2-chlorophenyl, 2-fluoro-3-trifluoromethylphenyl, 3-bromo-4-methoxyphenyl, 4-bromophenyl, phenyl, 4-methylphenyl, 4-chlorophenyl, 4-acetamidophenyl, 2,5-dimethoxyphenyl, 4-diethylaminophenyl, 3-methylphenyl, 2-hydroxy-3-methoxyphenyl, 4-phenylphenyl, 3,4-dibenzyloxyphenyl, or 3-[(3-trifluoromethyl)phenyloxy]phenyl.

138. (Amended) A method for treating a convulsive disorder, comprising administering to a subject in need thereof an effective amount of a substituted β-amino anionic compound ~~represented by the formula:~~



, wherein

- ~~A is a carboxylate or a prodrug form thereof;~~
- each ~~R1~~ substituent is independently ~~hydrogen or~~ an alkyl, cycloalkyl, aryl, alkoxy, or aryloxy group; and
- the amino group is $-NR^aR^b$, wherein ~~R2~~ R^a and ~~R3~~ R^b are each independently hydrogen, alkyl, or alkylcarbonyl; or ~~R2~~ R^a and ~~R3~~ R^b, taken together with the nitrogen to which they are attached, form an unsubstituted or substituted heterocycle having from 3 to 7 atoms in the heterocyclic ring;

or a pharmaceutically acceptable salt thereof; such that said convulsive disorder is treated.

139. (Amended) The method of claim 138, wherein ~~said compound is a substituted or unsubstituted β-alanine compound, or a derivative, analog, or a pharmaceutically acceptable salt thereof~~ the anionic group is a carboxylate.

140. (Amended) The method of claim 139, wherein said ~~uracil~~ β-amino anionic compound is a derivative selected from the group consisting of α-substituted β-alanine, β-substituted β-alanine, α,α-disubstituted β-alanine, α,β-disubstituted β-alanine, β,β-disubstituted β-

alanine, α,β,α-trisubstituted β-alanine, α,β,β-trisubstituted β-alanine, and α,α,β,β-tetrasubstituted β-alanine compounds.

In the Specification:

On page 69, replace the paragraph starting at line 26 with the following:

In contrast, β-alanine and an analog of ~~(~~α-(4-tert-butylcyclohexyl)-alanine (see Example 1) were administered at a comparable dosage (20 mg/kg/day i.v. for 10 days) at either Time 1 or Time 2 using the same ~~protocal~~ protocol outlined above. At Time 1, each of these compounds was 75% effective in decreasing seizures by at least 50%; at Time 2, each compound was 50% effective in decreasing seizures by at least 50%.

Claim Rejections – Double Patenting

The pending claims are rejected for obviousness-type double patenting over claims 18 and 19 of U.S. Patent No. 6,306,909 to Weaver, *et al.* (*i.e.*, the parent of this divisional application). Upon a finding that the claims are otherwise in condition for allowance, Applicants will consider filing a Terminal Disclaimer as suggested in the instant Office Action.

CONCLUSION

In view of the foregoing, entry of the amendments and remarks presented herein, favorable reconsideration and withdrawal of all the rejections, and allowance of the application with all pending claims are respectfully requested. If a telephone conversation with Applicants' attorney would expedite the prosecution of the subject application, Examiner is urged to call the undersigned at (617) 227-7400.

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